

ARTICLE APPEARED  
ON PAGE 3, Sec. 1

LOS ANGELES TIMES  
15 May 1984

# Spy Gets Life for Selling U.S. Secrets

## Harper's Acts Expected to Affect Defense Plans Into 21st Century

By MARK A. STEIN, *Times Staff Writer*

SAN FRANCISCO—James D. Harper Jr., who said he had hoped to help his country even while he betrayed it, was sentenced Monday to life in prison for peddling millions of dollars in sensitive nuclear defense secrets to Soviet Bloc agents for \$250,000.

The secret papers, which assessed U.S. strategies in defending against nuclear surprise attacks, were supplied to Harper by his wife, Ruby Louise Schuler, a secretary in a Silicon Valley research firm. She died last summer.

The papers were reportedly so valuable that Polish agents who shared the documents with the Soviet KGB secret police organization later earned commendations from their Russian counterparts. U.S. experts said the security breach will hamper defense plans into the 21st Century.

Prosecutors painted Harper as a "greedy jackal" and high-tech "traitor" who traded the security of the United States for a few expensive flings at the gaming tables in the south of France.

His defense attorney, Jerrold N. Ladar of San Francisco, portrayed Harper as a naive adventurer who had no idea of the damage he was doing and later tried to make amends by offering his services as a double agent. When that failed, the attorney noted, Harper then offered to plead guilty without a trial.

U.S. District Judge Samuel Conti, in handing down the sentence, said Harper never expressed sorrow or regret for his actions and should never be released from prison, even though he will be eligible for parole in 1993.

While Harper's immediate future has been determined, the fate of his alleged accomplices—notably William B. Hugle, a San Jose businessman who has not been formally charged but has repeatedly been cited as the man who introduced Harper to Polish spies—remains undecided.

Prosecutors, however, promised that the probe into this, one of the most serious spying cases in the last decade, is not over.

Harper's sentence, which prosecutors said was the harshest available, came as no surprise. Before the balding, bearded, 50-year-old Mountain View engineer entered his guilty plea last month, Conti had chastised prosecutors for not seeking the death penalty.

Later, the U.S. 9th Circuit Court of Appeals, in an unusual pretrial ruling, struck down the current death-penalty provision of federal espionage laws as unconstitutionally vague. That opened the way for a plea bargain that preempted a public trial in which sensitive documents and counterintelligence procedures could have been made public.

Harper, who has been held without bail in secret federal custody since his arrest last October, showed no emotion during the procedure. He spoke only once, promising to help the members of a federal investigation team gather evidence against other potential suspects.

"Either directly or indirectly, I have been cooperating with the United States government since September, 1981," Harper told the court before being sentenced. "I intend to continue doing so."

Harper, acting anonymously through an attorney, did indeed offer to act as a double

**Continued**